

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ORDER

The Court has before it the Magistrate Judge's Report and Recommendation (Docket Entry No. 21) that the Defendant's motion to dismiss (Docket Entry No. 7) be denied.

After de novo review, the Court **ADOPTS** the Report and Recommendation.

Accordingly, the Defendant's motion to dismiss (Docket Entry No. 7) is **DENIED** and this action is **TRANSFERRED** to the Southern District of Georgia.

It is so ORDERED.

ENTERED this the 22 day of September, 2010.

William J. Haynes, Jr.
WILLIAM J. HAYNES, JR.
United States in Judge